

REMARKS

By this amendment, Applicants have amended claims 1-3, 21, and 29, canceled claim 28, and added claim 37. As a result, claims 1-5, 7-9, 21-23, and 29-37 are pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-5, 28-29 and 33-35 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Patent Publication No. 5,138,595 (Kiyoshi). Applicants respectfully submit that Kiyoshi fails to disclose all the claimed features of, *inter alia*, claims 1 and 29 as required by 35 U.S.C. § 102(b). As a result, Applicants respectfully request withdrawal of these rejections in view of the following remarks.

With respect to claims 1 and 29, Applicants initially note that Kiyoshi fails to disclose, *inter alia*, the claimed duct including an interior sloped side. In support of its rejection, the Office cites element 19 of Kiyoshi as allegedly disclosing the claimed duct, and element 20 of Kiyoshi as allegedly disclosing the claimed interior sloped side of the duct. However, as is clearly shown in Kiyoshi, element 20 is not an interior sloped side of element 19. In fact, element 20 of Kiyoshi is not even attached to element 19, but is attached to element 18. Further, element 19 of Kiyoshi clearly comprises two substantially vertical interior sides. Consequently, contrary to the Office's assertion, elements 19 and 20 of Kiyoshi do not disclose the claimed duct

including an interior sloped side. As a result, Applicants respectfully request withdrawal of these rejections.

With further respect to claims 1 and 29, even if, *arguendo*, element 20 of Kiyoshi discloses the claimed interior sloped side, Applicants note that Kiyoshi fails to disclose, *inter alia*, an interior sloped side that partially obstructs a first side of a part while allowing a second side of the part to pass unobstructed. This feature of the claimed interior sloped side is clearly shown by, *inter alia*, FIGS. 1 and 2 of the present application and the corresponding discussion. In sharp contrast, element 20 of Kiyoshi clearly obstructs the entirety of any object passing from the opening marked as element 73 by the Office since it extends well beyond the vertical location of the Office's element 73. As a result, Applicants respectfully request withdrawal of these rejections.

With further respect to claim 29 and the newly added claim 37, Applicants note that Kiyoshi fails to disclose, *inter alia*, the claimed interior sloped side that partially obstructs a portion of the die opening. In support of its rejection, the Office generally cites Fig. 1 of Kiyoshi as allegedly disclosing this feature. In particular, the Office alleges that element 18a of Kiyoshi allegedly discloses the die, the portion of Kiyoshi marked as element 73 by the Office allegedly discloses the die opening, and element 20 of Kiyoshi allegedly discloses the interior sloped side. However, as is clearly shown in both Figures 1 and 2 of Kiyoshi, no portion of the opening marked as 73 by the Office is obstructed by element 20. In sharp contrast, Applicants note that element 20 of Kiyoshi is clearly disposed well below the opening of element 18a. As a result, Applicants respectfully request withdrawal of this rejection. Alternatively, should the Office maintain this conclusion, Applicants respectfully request that the Office particularly point out

that portion of Figure 1 of Kiyoshi that allegedly discloses a partially obstructed opening of element 18a.

With respect to claims 2-5 and 33-35, Applicants note that the Office relies on its interpretation of Kiyoshi and either claim 1 or 29, from which these claims depend, in support of these rejections. As a result, Applicants herein incorporate the arguments presented above with respect to claims 1 and 29. Further, Applicants submit that each of these claims is patentable for its own unique features. These features have not been separately addressed herein for brevity. As a result, Applicants respectfully request withdrawal of these rejections.

Further, claim 1 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 2,561,925 (Jakubik). Initially, Applicants note that Jakubik is unrelated to the claimed invention. In particular, the claimed invention orients a part in a substantially vertical orientation. In sharp contrast, Jakubik provides a grain drier, and the cited portion of Jakubik comprises a cooling tower that allows grain to descend. To this extent, Jakubik does not orient any part. Further, Applicants have herein amended claim 1 to include a machine for detaching the part from a web having a plurality of parts. This is clearly absent from Jakubik. Still further, similar arguments regarding other claimed features apply as with the Office's interpretation of Kiyoshi. To this extent, Applicants herein incorporate these arguments. As a result, Applicants respectfully request withdrawal of this rejection.

Further, claims 7-9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kiyoshi in view of U.S. Patent No. 5,628,502 (Amarakoon) further in view of U.S. Patent No. 5,451,044 (Nakayama). Applicants note that the Office relies on its interpretation of Kiyoshi and claim 1, from which these claims depend, in support of these rejections. As a result,

Applicants herein incorporate the arguments presented above with respect to claim 1. Further, Applicants submit that each of these claims is patentable for its own unique features. These features have not been separately addressed herein for brevity. As a result, Applicants respectfully request withdrawal of these rejections.

Further, claims 21-23 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kiyoshi in view of Amarakoon further in view of Nakayama. With respect to claim 21, Applicants note that the Office presents similar arguments with respect to Kiyoshi and the interior sloped side as presented in rejecting claims 1 and 29. As a result, Applicants herein incorporate the arguments presented above with respect to these claims. As a result, Applicants respectfully request withdrawal of this rejection.

With further respect to claim 21, Applicants note that neither Kiyoshi, Amarakoon, nor Nakayama disclose, *inter alia*, a duct including a first edge having an outer vertical side, an interior sloped side, and a support member there between as in the claimed invention. Support for the claimed duct is clearly shown by, *inter alia*, FIGS. 1 and 2 of the present application and the corresponding discussion. As a result, Applicants respectfully request withdrawal of this rejection.

With still further respect to claim 21, Applicants note, as expressly acknowledged by the Office, that neither Kiyoshi, Amarakoon, nor Nakayama disclose, *inter alia*, the claimed convex contoured end of the container. However, the Office alleges that "[i]t would have been an obvious matter of design choice to make the different portions of the contoured end of the container of whatever form or shape was desired or expedient." Applicants respectfully traverse this holding, and request withdrawal of this rejection.

In particular, the Office has improperly modified the teachings of Nakayama using the hindsight of Applicants' claimed invention to allege that the claimed invention is obvious. To this extent, Nakayama teaches a sheet receiving and stacking apparatus in which, as clearly shown in Figs. 6 and 7 of Nakayama, sheets are allowed to fall in a substantially horizontal alignment for stacking. In the embodiment shown in Fig. 7, the base table 26 is bent in a downwardly curved form for stacking the paper. Col. 5, lines 39-44. As a result, Nakayama teaches stacking horizontally aligned, bent sheets of paper in a U-letter form.

In sharp contrast, Applicants' claimed invention initially orients a part having a curled shape in a substantially vertical orientation. Subsequently, it is received in a container that includes a convex contoured end for holding the part. In this manner, the part is oriented in a substantially vertical orientation prior to being held in the container in an upside down U configuration. This enables the part to be held in a more uniform, predictable manner. To this extent, the Office must, *inter alia*, modify Nakayama's teachings from horizontally to substantially vertically oriented sheets and U-letter form stacked sheets to oppositely stacked sheets to arrive at the relevant features of Applicants' claimed invention. Applicants respectfully submit that these modifications are improperly done using the hindsight of Applicants' claimed invention. As a result, Applicants respectfully request withdrawal of this rejection.

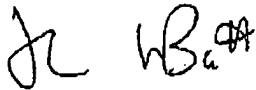
With respect to claims 22 and 23, Applicants note that the Office relies on its interpretation of Kiyoshi, Amarakoon, Nakayama and claim 21, from which these claims depend, in support of these rejections. As a result, Applicants herein incorporate the arguments presented above with respect to claim 21. Further, Applicants submit that each of these claims is

patentable for its own unique features. These features have not been separately addressed herein for brevity. As a result, Applicants respectfully request withdrawal of these rejections.

Further, claims 30 and 32 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kiyoshi in view of Amarakoon; claim 31 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kiyoshi in view of Amarakoon further in view of Nakayama; and claim 36 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kiyoshi in view of Jakubik. Applicants note that the Office relies on its interpretation of Kiyoshi and claim 29, from which these claims depend, in support of these rejections. As a result, Applicants herein incorporate the arguments presented above with respect to claim 29. Further, Applicants submit that each of these claims is patentable for its own unique features. These features have not been separately addressed herein for brevity. As a result, Applicants respectfully request withdrawal of these rejections.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



John W. LaBatt, Reg. No. 48,301
Hoffman, Warnick & D'Alessandro LLC
Three E-Comm Square
Albany, NY 12207
(518) 449-0044 - Telephone
(518) 449-0047 - Facsimile

Dated: December 13, 2004